

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TQ Delta, LLC,  
*Plaintiff,*

v.

CommScope Holding Company, Inc., *et al.*,  
*Defendants.*

Civil Action No.: 2:21-CV-00310-JRG  
(Lead Case)

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TQ Delta, LLC,  
*Plaintiff,*

v.

Nokia Corp., *et al.*,  
*Defendants.*

Civil Action No.: 2:21-CV-00309-JRG  
(Member Case)

**JOINT MOTION FOR LEAVE TO TAKE CERTAIN DEPOSITIONS  
AFTER THE CLOSE OF FACT DISCOVERY**

Plaintiff TQ Delta, LLC (“TQ Delta”), Defendants Nokia Corporation, Nokia Solutions and Networks Oy, and Nokia of America Corporation (collectively, “Nokia”), and Defendants CommScope Holding Company, Inc., CommScope Inc., Arris International Limited, Arris Global Ltd., Arris US Holdings, Inc., Arris Solutions, Inc., Arris Technology, Inc., and Arris Enterprises, LLC (collectively, “CommScope”) respectfully request that the Court grant leave so that TQ Delta, Nokia, and CommScope (collectively, the “Parties”) may take certain depositions after the elapsing of the fact discovery deadline.

Under the governing Docket Control Order (Dkt. No. 249), the fact discovery period ended August 19, 2022. The Parties have scheduled three depositions to take place after August 19. All three depositions are of non-party witnesses served with a subpoena under Federal Rule of Civil Procedure 45.

The first of these witnesses is Edmund Reiter. Mr. Reiter was, at one point in time, the President and CEO of Aware, Inc., the entity from whom TQ Delta purchased the Asserted Patents. Mr. Reiter was served with a subpoena by Nokia and is scheduled to give his deposition on August 24. The other two witnesses are corporate representatives of Broadcom Corporation (“Broadcom”). Each Party subpoenaed Broadcom and it is expected that Broadcom’s corporate representatives will provide relevant testimony on the functionality of the Accused Products. The Broadcom corporate representatives are scheduled to give their depositions on August 24 and August 25.

The Parties have worked diligently to schedule these non-party depositions. But, due to reasons including the availability of the non-party witnesses, the Parties were unable to take these depositions during the fact discovery period. Granting leave to take these depositions will not disrupt any of the remaining deadlines in this matter. The Parties are making this request for leave

out of an interest of furthering justice and not to cause any undue delay or prejudice. Accordingly, the Parties respectfully request that the Court grant leave to take the deposition of Mr. Reiter on August 24 and the depositions of Broadcom's corporate representatives on August 24 and August 25 as laid out in the attached Proposed Order.

Dated: August 22, 2022

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#### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document and all attachments thereto are being filed electronically in compliance with Local Rule CV-5(a). As such, this document is being served this August 22, 2022 on all counsel of record, each of whom is deemed to have consented to electronic service. L.R. CV-5(a)(3)(A).

/s/ William E. Davis, III  
William E. Davis, III

#### **CERTIFICATE OF CONFERENCE**

The undersigned certifies that counsel have complied with the meet-and-confer requirements of Local Rule CV-7(h) and (i). This is a joint motion by the Parties.

/s/ William E. Davis, III  
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